

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE**

JESSICA JONES et al.,

Plaintiffs,

v.

VARSITY BRANDS, LLC et al.,

Defendants.

**Civ. Action No. 2:20-cv-02892**

**ALL DEFENDANTS' MOTION TO STRIKE CLASS ALLEGATIONS**

Defendants Varsity Brands, LLC; Varsity Spirit, LLC; and Varsity Spirit Fashions & Supplies, LLC<sup>1</sup>; U.S. All Star Federation; Charlesbank Capital Partners, LLC, Bain Capital Private Equity, LP;<sup>2</sup> and Jeff Webb (collectively, "Defendants"), through their undersigned counsel, and pursuant to Federal Rules of Civil Procedure 12(f) and 23, hereby move this Court to strike Plaintiffs' class allegations from the Complaint (ECF No. 1).

Pursuant to Local Rule 7.2(d), movants request oral argument because they believe it will assist the Court in understanding the motion and the attendant issues and to answer any questions the Court may have.

WHEREFORE, for the reasons set forth in Defendants' Memorandum of Law in Support, filed contemporaneously herewith, Defendants respectfully request that the Court strike Plaintiffs' class allegations (specifically, paragraphs 29-39 and that portion of Plaintiffs' claims for relief that relates to the putative classes).

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<sup>1</sup> Referred to as "Varsity Spirit Fashion & Supplies, LLC" in Plaintiffs' Complaint.

<sup>2</sup> Referred to as "Bain Capital Private Equity" in Plaintiffs' Complaint.

March 12, 2021

Respectfully submitted,

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**CERTIFICATE OF CONSULTATION**

Counsel for Defendants hereby certify that they consulted with counsel for Plaintiffs on March 10, 2021, via electronic mail to determine whether Plaintiffs oppose the relief sought in this Motion. Plaintiffs' counsel stated that Plaintiffs oppose the relief requested in this Motion.

/s Matthew S. Mulqueen

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